

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
Caption in Compliance with D.N.J. LBR 9004-2(c) <b>GENOVA BURNS, LLC</b> 110 Allen Road, Suite 304 Basking Ridge, New Jersey 07920 Phone: (973) 467-2700 <i>Local Counsel for Bath Iron Work Corporation</i> <b>DANIEL M. STOLZ, ESQ.</b> <b>DONALD W. CLARKE, ESQ.</b>  <b>JENNER &amp; BLOCK</b> 353 N. Clark Street Chicago, IL 60654-3456 Phone: (312) 222-9350 <i>Counsel for Bath Iron Work Corporation</i> <b>WADE A. THOMSON, ESQ.</b> <b>CATHERINE L. STEEGE, ESQ.</b> <b>MICHAEL A. DOORNWEERD, ESQ.</b>	
In Re:  <b>CONGOLEUM CORPORATION<sup>1</sup>,</b>  Debtor.	Chapter 11 Case No. 20-18488 (MBK)  Honorable Michael B. Kaplan
<b>BATH IRON WORKS CORPORATION,</b>  Plaintiff,  v.  <b>CONGOLEUM CORPORATION,</b>  Defendant.	Adv. Pro. No.: 20-01439 MBK)  Honorable Michael B. Kaplan  Hearing Date: March 17, 2021 at 11:00 am

**NOTICE OF MOTION OF  
BATH IRON WORKS CORPORATION FOR SUMMARY JUDGMENT**

---

<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 8678. The Debtor's corporate headquarters is located at 3500 Quakerbridge Road, Mercerville, New Jersey 08619.

**TO: Jeffrey M. Sponder, Esq.  
Office of the United States Trustee  
One Newark Center, Suite 2100  
Newark, NJ 07102**

**Russell L. Hewit, Esq.  
Dughi, Hewit Domalewski, P.C.  
340 North Avenue  
Cranford, NJ 07016**

**Scott A. Hall, Esq.  
Dughi, Hewit Domalewski, P.C.  
340 North Avenue  
Cranford, NJ 07016**

**Warren Usatine, Esq.  
Cole Schotz P.C.  
25 Main Street, PO Box 800  
Hackensack, NJ 07602-0800**

**Felice R. Yudkin, Esq.  
Cole Schotz P.C.  
25 Main Street, PO Box 800  
Hackensack, NJ 07602-0800**

**Jeffrey D. Prol, Esq.  
Lowenstein Sandler, LLP  
One Lowenstein Drive  
Roseland, New Jersey 07068**

**PLEASE TAKE NOTICE** that on the 17<sup>th</sup> day of March, 2021, at 11:00 a.m., or as soon thereafter as counsel may be heard, Bath Iron Works Corporation, shall move before the Honorable Michael B. Kaplan, USBJ, at the United States Bankruptcy Court, Clarkson S. Fisher US Courthouse, 402 East State Street, Courtroom #8, Trenton, New Jersey 08608, for the entry of an Order granting summary judgment against Defendant, Congoleum Corporation and other related relief (the “Motion”).

**PLEASE TAKE FURTHER NOTICE** that the Debtor will rely upon the supporting Declaration of Daniel M. Stolz, the exhibits thereto, The Statement of Uncontested Facts, and the Brief in Support of the Motion submitted simultaneously herewith in support of entry of the proposed Order.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the scheduling agreement reached between the parties, objections to BIW's Motion shall be filed and served no later than March 5, 2021 and replies shall be filed and served no later than March 12, 2021.

**PLEASE TAKE FURTHER NOTICE** that pursuant to D.N.J. LBR 9013-1(k), in the event the Motion is contested, there is a duty to confer to determine whether a consent order may be entered disposing of the Motion or to stipulate to the resolution of as many issues as possible.

**PLEASE TAKE FURTHER NOTICE** that in accordance with D.N.J. LBR 9013-1(i), unless the Court authorizes otherwise prior to the hearing date hereof, no testimony shall be taken at the hearing except by certification or affidavit.

Respectfully submitted,  
**GENOVA BURNS**  
Attorneys for Plaintiff

Date: January 28, 2021.

By: /s/ Daniel M. Stolz.  
DANIEL M. STOLZ